

WAIVING POINTS OF ORDER
AGAINST CONFERENCE REPORT
ON H.R. 2076, DEPARTMENTS OF
COMMERCE, JUSTICE, AND
STATE, THE JUDICIARY, AND RE-
LATED AGENCIES APPROPRIA-
TIONS ACT, 1996

SPEECH OF

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, December 6, 1995

Mrs. LOWEY. Mr. Speaker, in September 1994, the Congress passed a historic piece of legislation—the Violence Against Women Act [VAWA]. VAWA passed the House of Representatives with unanimous, bipartisan support. One of the major purposes for VAWA was to assure that the legal system treated domestic violence as the very serious crime we know it is.

A very important provision of the act is entitled “Equal Justice for Women in the Courts.” These provisions assure that the arbiters of justice in our Nation—judges and the courts—treat domestic violence in a serious and fair manner.

It has come to my attention that some Members of the Senate inserted a colloquy into the CONGRESSIONAL RECORD challenging the merit of the gender fairness task forces provided for under the Equal Justice for Women in the Courts provisions. I could not disagree more strongly.

Sections 40421–22 of the act allow each Federal judicial circuit to conduct studies of “the instances, if any, of gender bias * * * and to implement recommended reforms.” At this time, a majority of the Federal circuits are conducting gender fairness studies to ascertain whether women receive disparate treatment in the courts, and, if so, how best we can address this critical problem. Clearly, the judicial branch has the authority, and an obligation, to discover any bias in the dispensation of justice in our Nation. There is no place for unequal justice in the United States.

In addition, recently there have been a growing number of press reports—most notably about the O.J. Simpson case in California—about victims of domestic violence who availed themselves of the courts and received little or no protection from their batterers. The failure of the courts to respond to complaints of domestic violence puts the very lives of American women at risk. Further, the mere impression that courts do not take domestic violence seriously will cause some women who desperately need the protection of the legal system to not reach out for help.

Finally, I would like to note that the colloquy entered by the Senators on this issue has absolutely no binding effect on the Federal judicial circuits. The colloquy is merely the opinion of three Members of Congress; it is not law.

The Commerce-Justice-State appropriations bill contains no legislative language barring courts from establishing gender fairness studies. Nor does the conference report, the Senate Appropriations Committee report, or the House Appropriations Committee report. If the Congress intended to bar these very important studies, then we would have done so in the legislative or report language. The judicial circuits clearly have the right under this bill to establish the gender fairness task forces.

When the Congress passed the Violence Against Women Act, we made a promise to the people of this Nation that we would fight to end domestic violence. If the legal system, our first line of defense against his heinous crime, is not properly addressing this issue, then we cannot even begin the process of ending domestic violence. I strongly support any efforts by the judiciary to investigate gender bias in the courts, and to provide for recommendations to eradicate it.

HONORING THE RETIREMENT OF
WALTER B. KIRKWOOD

HON. JAMES A. LEACH

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 12, 1995

Mr. LEACH. Mr. Speaker, today I would like to salute on the true professionals who has represented his employers' interests before Congress for almost four decades. At the end of this month, Walter B. Kirkwood will be retiring after 37 years of service in the banking industry. During this period, Walter has always conducted himself in a way that does credit to his employers and also reflects a broader concern for the public interest.

Many of us came to know Walter's work and appreciate his low-key style over the many years that represented Banc One Corp. of Columbus, OH, as vice president, government affairs, and earlier while he was governmental affairs representative for American Fletcher National Bank in Indianapolis prior to its acquisition by Bank One Corp. Most recently, Walter has been ably representing Bank One Indiana Corp., the successor to American Fletcher in Indianapolis.

Walter has made many contributions to the furtherance of constructive banking legislation. Among his most signal efforts was his active involvement during 1993–94 in the interstate banking and branching bill, while his boss, John B. McCoy, chairman of Banc One Corp., was serving as chairman of an industry task force on the legislation. Walter also worked successfully on key parts of the Federal Deposit Insurance Corporation Improvement Act of 1991 and several important provisions of the Financial Institutions Reform, Recovery and Enforcement Act of 1989, to mention two other occasions when Walter's knowledge and ability came into play to produce outcomes which had the effect of modernizing America's financial services industry.

The fact that Walter combines the best attributes of a vigorous advocate representing his company's and his industry's interests, coupled with a keen concern for the public interest, is attested to by the fact that he has been widely honored by his peers. Walter served as chairman of the Government Relations Committee of the former Association of Bank Holding Companies as well as chairman of the Legislative Liaison Advisory Committee [LLAC] of the American Bankers Association, a position he currently holds.

On behalf of the Committee on Banking and Financial Services, I would like to thank Walter for his thoughtful advice over the years and look forward in keeping in touch.

UNICEF SAVES THE LIVES OF
CHILDREN

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 12, 1995

Mr. GILMAN. Mr. Speaker, on Monday, December 11, I was privileged to participate in a ceremony at the Lime Kiln Elementary School in my district in Rockland County to celebrate the 50th anniversary of the founding of UNICEF, at which I made the following remarks:

Today marks the 50th anniversary of the founding of UNICEF, one of the world's most effective organizations for saving and improving the lives of children who are at risk. At a time when the role of many international organizations, including the United Nations itself, is under scrutiny, there is no question about the role of UNICEF.

The years since its founding have seen great strides on behalf of children in health, nutrition, education and child rights. Thanks to UNICEF programs, two and a half million fewer children are dying annually from malnutrition and disease than died in 1990. The number of children who will be disabled, blinded, crippled or mentally retarded is down by 750,000.

Primary school enrollment has gone from 48 percent in 1960 to 77 percent this year, child immunization rates have gone from less than 10 percent in the late 1970's to 80 percent in most countries, and polio, once a scourge of children, is nearing eradication.

As we address the crises in hunger, health and education that beset the world's children, we are improving the circumstances for their parents, as well.

Our progress towards achieving democratic societies will be limited as long as a quarter of the world's population is unable to meet even its most basic human needs. Absolute poverty, which deprives people of their human rights, their dignity, and a voice in the affairs of their society, ultimately is a major obstacle to democracy.

That is why it is so important to recognize that America has vital interests abroad that are advanced by our foreign aid program.

It is in the interest of every American to help avoid and to redress human rights disasters such as we have seen in Somalia and Bosnia. It is clearly in our Nation's interest to see incomes rise in developing countries so that they can afford to buy our exports.

It is in the interest of every American to help countries become economically and politically stable so that we can avoid being drawn into armed conflicts.

UNICEF's programs are now saving millions of children's lives each year. Other powerful and tested strategies that reduce hunger and poverty—such as microenterprise—are also available and affordable to most developing countries.

Rather than merely reacting to situations after they become critical, we now have the opportunity to make effective social investments that can convert despair into hope and prevent future crises while building healthy, stable societies.

That is why UNICEF remains one of the most effective arguments in favor of foreign assistance, and I am pleased that, despite budgetary reductions in other areas, we have been able to provide for an increase in the U.S. contribution to this very important agency, so that it can continue the good work that it began 50 years ago today.